

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Inventor:	Ms. Eve Gambla
Filing Date:	March 3, 2004
Title:	Male Toilet Spray Shield
Serial No.:	10/792,235
Examiner:	Robert M. Fetsuga
Group Art	
Unit No.:	3751

RESPONSE TO FINAL OFFICE ACTION

This is in Response to the Notice to Office Action, Mailing Date August 15, 2007 in which there were noted the following objections to the instant patent application:

1) The specification is objected to as failing to provide a proper antecedent basis for the claimed subject matter. Proper antecedent basis for the "six inches to twenty four inches" feature set forth in claim 1, "substantially annular" and "perpendicular" features set forth in claim 2, and subject matter set forth in claim 9, could not be found in the specification.

2) Claims 2 and 9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites a "substantially annular" flange. The flange 20 does not appear

to be "annular," and this use of the term is repugnant to the meaning thereof.

3) The following claims were rejected based on 35 U.S.C. 102 as being anticipated by Masters et al. (U.S. Pat. 5,077,840) claims 1, 2, 4, and 7.

4) The following claims were rejected under 35 U.S.C. as being unpatentable over Masters and Gambla et al. (U.S. Pat. 6,357,055): 1, 2, 4, 5, 7-9.

Applicant wishes to respond to that Office Action as follows:

RESPONSE

Applicant would like to amend the specification as follows:

I. LIST OF AMENDMENTS TO THE SPECIFICATIONS

On page 13, starting on line 10, please insert to the paragraph "It is anticipated that the exterior 18 and interior 12 walls of the toilet over spray shield are preferably at least 10" in height above toilet seat rim to ensure that all spray is channeled into the toilet bowl 22 and that nothing ends up on the floor or walls of the bathroom. It is anticipated that the shield 10 may be used with adult handicapped males, and in such an instance, the shield may be from 20 to ~~22"~~ 24" in height. However, preferable dimensions for the walls may be from 6" to as much as 18" in height when used for children, depending upon the preferences of the user or designer of the particular embodiment of the device. Thus, the total range in height of the device is from 6" to 24" inches, depending on whether it is being used for children or handicapped adults."

On page 12, starting with line 18, insert the following into the paragraph: "Along exterior cylindrical wall 18, there exists a flat flange means 20 which is perpendicular to the wall 12, and encircles the wall 12 in a semi-elliptical fashion. This flange means 20 that sits upon toilet bowl rim 24 such that the toilet over spray shield 10 does not fall